

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

LAVILA MARC,

Plaintiff,

v.

Case No: 8:23-cv-890-CEH-TGW

WILLIAM F. JUNG,

Defendant.

ORDER

This cause comes before the Court on its Order dated May 3, 2023 (Doc. 3). Because Plaintiff has failed to pay the filing fee or move to proceed *in forma pauperis*, or to request additional time in which to do so, this action is due to be dismissed, without prejudice.

DISCUSSION

A district court may dismiss a plaintiff's claims pursuant to Rule 41(b) of the Federal Rules of Civil Procedure or the court's inherent authority to manage its docket. *Betty K Agencies, Ltd. v. M/V MONADA*, 432 F.3d 1333, 1337 (11th Cir. 2005). Under Rule 41(b), "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss this action or any claim against it." Fed. R. Civ. P. 41(b). The Eleventh Circuit has recognized that a district court may dismiss an action *sua sponte* for the plaintiff's failure to prosecute his case or obey a court order under Rule 41(b). *Betty K Agencies, Ltd.*, 432 F.3d at 1337.

On May 3, 2023, the Court issued an Order in which it directed Plaintiff Lavila Marc to pay the filing fee for this action or move to proceed *in forma pauperis* within twenty-one days. The Court cautioned that the failure to do so could result in the dismissal of this action without prejudice and without further notice. To date, Marc has not paid the filing fee or filed a motion to proceed *in forma pauperis*, nor has she requested additional time in which to do so.

Accordingly, it is hereby **ORDERED**:

1. This action is **DISMISSED, without prejudice.**
2. The Clerk of Court is directed to terminate all motions and deadlines and **CLOSE** this case.

DONE and **ORDERED** in Tampa, Florida on May 31, 2023.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties